

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD FRANK FIDGE,
Plaintiff,

v.

**LAKE COUNTY SHERIFF'S DEPARTMENT, ET
AL.,**
Defendants.

Case No. 13-cv-05182-YGR

**ORDER PROVIDING *RAND* SUMMARY
JUDGMENT NOTICE**

Defendants Lake County Sheriff's Department, *et al.* ("Defendants") have filed a motion for summary judgment against Plaintiff Ronald Frank Fidge ("Plaintiff") in this matter. (Dkt. No. 106, filed October 29, 2014.) Pursuant to the local civil rules, Plaintiff's opposition is due November 17, 2014. (*See* N.D. Cal. L. Civ. R. 7-3(a).) Defendants' reply is due November 27, 2014. (*See* N.D. Cal. L. Civ. R. 7-3(c).) Pursuant to the Court's Order Resetting Pretrial Dates (Dkt. No. 79), the motions is set to be heard December 16, 2014.

Ninth Circuit authority indicates that self-represented plaintiffs should be given "notice of what is required of them in order to oppose" summary judgment motions at the time of filing of the motions.¹ *See Rand v. Rowland*, 154 F.3d 952, 962-63 (9th Cir. 1998); *Woods v. Carey*, 684 F.3d 934, 935, 940-41 (9th Cir. 2012). Accordingly, the Court provides the following notice to Plaintiff for his information in connection with Defendant's motion for summary judgment:

Defendant is making a motion for summary judgment under Rule 56 of the Federal Rules of Civil Procedure which, if granted, will end your case by granting judgment in favor of Defendant. Rule 56 tells you what you must do in order to oppose a motion for summary judgment. Generally, summary judgment must be granted when there is no genuine issue of material fact -- that

¹ Plaintiff has represented that he has hired counsel and that his new counsel is taking steps to formally appear in this action. As of the date of this Order, however, and at the time Defendants' filed their motion for summary judgment, Plaintiff is and was unrepresented.


1 is, if there is no real dispute about any fact that would affect the result of your
2 case, the party who asked for summary judgment is entitled to judgment as a
3 matter of law, which will end your case. When a party you are suing makes a
4 motion for summary judgment that is properly supported by declarations (or
5 other sworn testimony), you cannot simply rely on what your complaint says.
6 Instead, you must set out specific facts in declarations, depositions, answers to
7 interrogatories, or authenticated documents, as provided in Rule 56(e). The
8 evidence in those documents must contradict the facts shown in the defendant's
9 declarations and documents and show that there is a genuine issue of material
10 fact for trial. If you do not submit your own evidence in opposition, summary
11 judgment may be entered against you. If summary judgment is granted in favor
12 of the defendant, your case will be dismissed and there will be no trial.

13 *See Rand*, 154 F.3d at 962-63.

14 **IT IS SO ORDERED.**

15 Dated: October 31, 2014

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YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT